

## HALPERIN BATTAGLIA RAICHT, LLP

555 Madison Avenue, 9<sup>th</sup> Floor  
New York, New York 10022  
(212) 765-9100  
(212)765-0964 Facsimile  
Alan D. Halperin, Esq.  
Donna Lieberman, Esq.

**COLE, SCHOTZ, MEISEL,  
FORMAN & LEONARD, P.A.**

A Professional Corporation  
Court Plaza North  
25 Main Street, P. O. Box 800  
Hackensack, New Jersey 07602-0800  
(201) 489-3000  
(201) 489-1536 Facsimile  
Michael D. Sirota, Esq.  
Ilana Volkov, Esq.  
Warren A. Usatine, Esq.

Co-Counsel for the Official  
Committee of Unsecured Creditors

In the Matter of: : UNITED STATES BANKRUPTCY COURT  
SHAPES/ARCH HOLDINGS, L.L.C., et : FOR THE DISTRICT OF NEW JERSEY  
al., : HONORABLE GLORIA M. BURNS  
: CASE NO. 08-14631(GMB)  
: (Jointly Administered)  
Debtors. : Chapter 11  
: **NOTICE OF MOTION OF THE OFFICIAL**

**NOTICE OF MOTION OF THE OFFICIAL  
COMMITTEE OF UNSECURED  
CREDITORS FOR ENTRY OF AN ORDER  
QUASHING THE SUBPOENA ISSUED BY  
ARCUS ASI FUNDING, LLC. PURSUANT  
TO FED. R. BANKR. P. 9016 AND FED. R.  
CIV. P. 45**

HEARING DATE AND TIME:  
May 19, 2008 at 10:00 a.m.

## **ORAL ARGUMENT REQUESTED**

TO: All Parties-in-Interest

PLEASE TAKE NOTICE that on May 19, 2008, at 10:00 a.m., or as soon thereafter as counsel may be heard, the undersigned, attorneys for The Official Committee of Unsecured Creditors (the “Committee”) of Shapes/Arch Holdings L.L.C., Shapes L.L.C., Delair, L.L.C., Accu-Weld, L.L.C., and Ultra L.L.C., the within debtors and debtors-in-possession, shall move before the Honorable Gloria M. Burns, United States Bankruptcy Judge, at the United States Bankruptcy Court, Mitchell H. Cohen U.S. Courthouse, 400 Cooper Street, 4<sup>th</sup> Floor, Camden, New Jersey 08101, for entry of an Order quashing the subpoena issued by Arcus ASI Funding, LLC pursuant to Fed. R. Bankr. P. 9016 and Fed. R. Civ. P. 45 (the “Motion”).

PLEASE TAKE FURTHER NOTICE that in support of the Motion, the undersigned shall rely on the accompanying Application which sets forth the relevant factual and legal bases upon which the requested relief should be granted. A proposed Order granting the requested relief also is submitted herewith.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the relief requested in the Motion shall: (i) be in writing, (ii) state with particularity the basis of the objection; and (iii) be filed with the Clerk of the United States Bankruptcy Court electronically by attorneys who regularly practice before the Bankruptcy Court in accordance with the General Order Regarding Electronic Means for Filing, Signing, and Verification of Documents dated March 27, 2002 (the “General Order”) and the Commentary Supplementing Administrative Procedures dated as of March 2004 (the “Supplemental Commentary”) (the General Order, the Supplemental Commentary and the User’s Manual for the Electronic Case Filing System can be found at [www.njb.uscourts.gov](http://www.njb.uscourts.gov), the official website for the Bankruptcy Court) and, by all other parties-in-interest, on CD-ROM in Portable Document Format (PDF), and shall be served in accordance

with the General Order and the Supplemental Commentary, so as to be received no later than seven (7) days before the hearing date set forth above.

PLEASE TAKE FURTHER NOTICE that unless objections are timely filed, the Motion shall be deemed uncontested in accordance with D.N.J. LBR 9013-1(a), and the relief requested may be granted without further notice or hearing.

PLEASE TAKE FURTHER NOTICE that the undersigned requests oral argument.

Respectfully submitted,

**HALPERIN BATTAGLIA RAICHT, LLP**  
Co-counsel to the Official Committee of  
Unsecured Creditors

By: /s/ Alan D. Halperin  
Alan D. Halperin, Esq.  
Donna H. Lieberman, Esq.

**COLE, SCHOTZ, MEISEL,  
FORMAN & LEONARD, P.A.**  
Co-Counsel to the Official Committee of  
Unsecured Creditors

By: /s/ Michael D. Sirota  
Michael D. Sirota  
Ilana Volkov  
Warren A. Usatine

DATED: April 28, 2008